

PROB 12C
(7/93)

United States District Court

for

District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Robert Henricks

Docket Number: 05-00716-001

PACTS Number: 39935

Name of Sentencing Judicial Officer: Honorable William G. Bassler, Sr. U.S.D.J.

Name of Assigned Judicial Officer: Honorable Joseph A. Greenaway, Jr., U.S.D.J.

Date of Original Sentence: 03/07/2006

Original Offense: Conspiracy to Defraud the United States, 18 U.S.C. § 371

Original Sentence: 30 months imprisonment; 3 years supervised release.

Special Conditions: DNA collection; drug treatment or urinalysis; financial disclosure; mental health treatment; no new debt; refrain from any investment related field; restitution \$815,367; special assessment \$100.

Date of Violation of Supervised Release: 12/22/2008

Violation of Supervised Release Sentence: 6 months imprisonment; 30 months supervised release.

Special Conditions: Drug treatment or urinalysis; financial disclosure; mental health treatment; no new debt; refrain from any investment related field; restitution \$815,367.00; special assessment \$100.

Type of Supervision: Supervised Release

Date Supervision Commenced: 6/29/09

Assistant U.S. Attorney: Nancy Hoppock, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Anthony Martone, Esq., (718) 520-7956

PETITIONING THE COURT

- ☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

The offender has violated the special condition which states 'The defendant shall participate in a mental health program for evaluation and/or treatment as directed by the U.S. Probation Office. The defendant shall

remain in treatment until satisfactorily discharged and with the approval of the U.S. Probation Office.'

On August 30, 2009, the offender was hospitalized at Queens General Hospital Psychiatric Unit due to a severe manic episode.

On September 15, 2009, the offender was "mentally stabilized" and discharged from Queens General Hospital Psychiatric Unit. The recommendation of psychiatric staff and probation, was that offender, upon discharge, be admitted to an inpatient MICA (mentally ill chemical abuser) program, due to his mental state, lengthy substance abuse history, and unsuccessful attempts at outpatient treatment. Henricks refused to enter residential treatment and stated, "I would rather go back to jail."

2

The offender has violated the supervision condition which states **'The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'**

During offender's hospitalization, as described above, he submitted positive toxicology reports for cocaine. On September 3, 2009, the offender, after questioning, admitted to his U.S. Probation Officer that he had used cocaine and Ketamine.

I declare under penalty of perjury that the foregoing is true and correct.

Dana Hafner
By: Dana Hafner
U.S. Probation Officer
Date: 9/22/09 *7/1*

THE COURT ORDERS:

- [] The Issuance of a Warrant
[☒] The Issuance of a Summons. Date of Hearing: *October 21, 2009 at 11:00 am.*
[] No Action
[] Other

[Signature]
Signature of Judicial Officer

9-25-09
Date